



# DAN REGARD

Managing Director

## SUMMARY

Mr. Regard is an electronic discovery and computer science consultant with 30 years' experience in consulting to legal and corporate entities. A programmer and an attorney by training, Mr. Regard has conducted system investigations, created data collections, and managed discovery on over a thousand matters. He is responsible for the development and implementation of case and matter strategies that leverage technology in litigation and investigations. Mr. Regard has both national and international experience advising on such issues as electronic discovery, computer forensics, structured data, and information management. He is a frequent speaker, teacher, and publisher on issues of electronic discovery.

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Prior to founding iDiscovery Solutions, Inc. in 2008, Mr. Regard was the national director of e-Discovery for LECG. He was also the national director of Electronic Evidence & Consulting for FTI Consulting and was an electronic discovery and data analytics team leader in Analytical Dispute Services at Deloitte & Touche, where he managed multi-national, multi-jurisdictional, and multi-counsel litigation support projects. He began his career as the founder of a nationwide litigation-technology company.

Mr. Regard is a member of the Sedona Conference WG1: Electronic Document Retention and Production, and WG6: International Electronic Information Management, Discovery and Disclosure. He is a board member of Georgetown Advanced Institute for e-Discovery, one of the original four founders of the E-Discovery Institute (EDI), and a founding member of the Masters Cabinet. Mr. Regard is the founder of b-Discovery, a monthly e-Discovery networking group that meets throughout the United States.

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### **SELECT COMPUTER FORENSIC EXPERIENCE**

- In the international consumer electronics industry, analyzed dozens of computers and databases related to e-tail marketing of counterfeit goods.
- In the military armor industry, analyzed computers, removable devices, and emails related to theft of intellectual property.
- In trucking and transportation, conducted a search and destroy mission to eradicate U.S. military grade design documents from European-based engineering offices.
- Before the international trade commission, located, traced and remediated the disclosure of privileged documents via FTP configurations and Internet search bots.
- In the financial sector, conducted an in-depth analysis of Microsoft Exchange email and Bloomberg chat messages.
- In medical device industry, testified on the definition, content and functionality of “native format” for emails and other user documents.
- In the insurance industry, analyzed and testified on metadata artifacts related to water remediation cost estimate files.

### **EDUCATION**

- BS in Computer Science, University of Southwestern Louisiana
- JD, Tulane University
- MBA, Tulane University
- Certificate in European Legal Practice, Tulane University

### **PUBLICATIONS (Past 10 Years)**

1. D. Regard, Mobile Devices, in Hon. Xavier Rodriguez et al., Essentials of E-Discovery (Texas State Bar Assn., 2021).
2. D. Regard, Published Interview, Taking Advantage of an Emergent New Area of Evidence, Corporate Counsel Business Journal. (March-April 2020).
3. D. Regard, The Internet of Things Brings Risks and Rewards: A network of devices emitting massive amounts of data provides answers – and raises ethical concerns, Metropolitan Corporate Counsel, Interview (June 21, 2016).

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4. D. Regard, *The Apple, the Fall and the Exile: The International Effect of Hacking One iPhone, Digital Discovery and E-Evidence* (BNA, March, 2016) (<http://www.bna.com/apple-fall-exile-n57982068332/>)
5. D. Regard, T. Irgang, *Will Apple give in to FBI demands to hack into a San Bernardino shooter's phone?*, SmartCEO, Interview (Feb. 2016).
6. D. Regard, *The FBI's Battle with Apple over the San Bernardino iPhone: The agency's request from the technology giant could have long-reaching implications*, Metropolitan Corporate Counsel, Interview (Feb. 2016).
7. D. Regard, C. Platt, *A Brief Legal History of Time: Part Two of Two*, Digital Discovery and E-Evidence (BNA, February 2016).
8. D. Regard, C. Platt, *A Brief Legal History of Time: Part One of Two*, Digital Discovery and E-Evidence (BNA, January 2016).
9. D. Regard et al, *The Federal Judges' Guide to Discovery* (2<sup>nd</sup> ed.), Format of Discovery, Electronic Discovery Institute (Jan. 2016).
10. D. Regard, *Proportionality, FRCP Changes and the Perspective of a Litigation Technologist*, Metropolitan Corporate Counsel, Interview (Dec. 2015).
11. D. Regard, *The Real Problem: Technology*, Metropolitan Corporate Counsel (Dec. 2015).
12. D. Regard et al, The Duke Law Center Proportionality Guidelines, *Guidelines and Practices for Implementing the 2015 Discovery Amendments to Achieve Proportionality*, Judicature (2015).
13. D. Regard & Hon. R. Hedges (Ret.), *Application of Search Analytics in the Healthcare Profession*, Journal of AHIMA (May 2015).
14. D. Regard & K. Shuart, *Consensus Coding: A Game Changer for Human Review*, Metropolitan Corporate Counsel (Jan. 2015).
15. D. Regard & J. Whitehead, *Digital Coordination: Is Your Computer Forensics Investigation A Symphony or A Circus?* The Metropolitan Corporate Counsel (Dec. 2013).
16. D. Regard & T. Matzen, *A Re-Examination of Blair & Maron (1985)* ICAL 2013 DESI V (June 2013).
17. D. Regard, *Predictive Coding*, educational video, (BNA publications, 2012).
18. D. Regard & A. Diana, *Shifting E-Discovery Costs to the Losing Party* (Executive Counsel, Sept. 2012).
19. D. Regard & K Brady, *Agnes and the Best Evidence Rule or Why You'll Never Get an Original Copy and Why It Doesn't Matter*, Digital Discovery and E-Evidence (BNA Insight, May 10, 2012).

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20. The Sedona Conference, The Sedona Principles for the Mitigation of Conflicts Between EU Data Protection Laws and US Preservation and Discovery Obligations (Jan. 2012).
21. D. Regard & D. Kessler, The Discovery of Structured Data, in Hon. Mag. Paul W. Grimm et al., Managing E-Discovery & ESI: From Pre-Litigation to Trial (American Bar Assn 2011).
22. The Sedona Conference, The Sedona Conference Database Principles: Addressing the Preservation & Production of Databases & Database Information in Civil Litigation (Nov. 2011).

### **SPECIAL MASTER and COURT APPOINTED NEUTRAL EXPERIENCE**

1. Special Master, E-Discovery, In Re: Generic Pharmaceuticals Pricing Antitrust Litigation, 2:16-md-02724-CMR, 2019.
2. Neutral Application Data Examiner, Joseph Strauch and Timothy Colby et al. on behalf of other similarly situated individuals v. Computer Sciences Corporation, U.S. District Court for the District of Connecticut, USDC Civil No. 3:14-cv-00956 (JBA), 2019. Appointed by the Court at the nomination of the Plaintiff, later, served as Plaintiff's expert.
3. Neutral Forensic Examiner, Yahoo! Inc. Customer Data Security Breach Litigation, Superior Court of the State of California for the County of Orange, No. 16-MD-02752-LHK, 2018.
4. Court appointed expert, Abilify (Aripiprazole) Products Liability Litigation, U.S. District Court for The Northern District of Florida, Pensacola Division, Case No. 3:16-MD-2734, 2017.
5. Independent Expert, Klipsch Group, Inc., v. Big Box Limited et al., US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), March 2014.
6. E-Discovery Neutral, Legg v. American Eagle Outfitters, Inc., U.S. District Court, Southern District of Florida, Case No. 0:14-cv-61058-BB, 2014.
7. E-Discovery Special Master, Federal Trade Commission v. Boehringer Ingelheim Pharmaceuticals, Inc., U.S. District Court, District of Columbia, 2010-2011.

### **TESTIFYING EXPERIENCE (Past 10 Years)**

1. Data Availability, deposition, MSP Recovery Claims, et al., v. Tower Hill Preferred Insurance Compan, et al., ("Tower Hill II") N.D. Fla., Gainsville Division, Case no. 1:18-cv-00157, February 2022.

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2. Forensic Analysis of IP Exfiltration, deposition, *Keybank National Association v. Williams and Weldon*, U.S. District Court for the District of Colorado, Civil Action No. 1:19-cv-03714-CMA, February 2022.
3. Data Availability, declaration, *MSP Recovery Claims, et al., v. Tower Hill Preferred Insurance Compan, et al.*, ("Tower Hill II") N.D. Fla., Gainsville Division, Case no. 1:18-cv-00157, January 2022.
4. Data Availability, deposition, *MSP Recovery Claims Series LLC et al. v Integon National Insurance Co. et al.*, U.S. Dist. Court for the S.D. of FL., Case No. 1:20-cv-24051-AMC, December 2021.
5. ESI Protocols, Reasonableness of Technology Assisted Review (TAR) and Search Terms, 3<sup>rd</sup> expert decalaration, *In Re Diisocyanates Antitrust Litigation, MDL 2862*, (W.D.Pa.), Master Docket No. 18-1001, December 2021.
6. PDF Signature Authentication, declaration, *Laba v. JBO Worldwide Supply Pty Ltd.*, US. District Court S. D. N. Y., Case No: 1:20-cv-03443-AKH, December 2021.
7. Forensic Analysis of IP Exfiltration, declaration, *Keybank National Association v. Williams and Weldon*, U.S. District Court for the District of Colorado, Civil Action No. 1:19-cv-03714-CMA, December 2021.
8. Data Availability, declaration, *MSP Recovery Claims Series LLC et al. v Integon National Insurance Co., et al.*, U.S. Dist. Court for the S.D. of FL., Case No. 1:20-cv-24051-AMC, November 2021.
9. Data Availability, deposition, *Velez et al., v. Florida Power & Light Company*, Circuit Court of the 11<sup>th</sup> Circuit in and for Miami-Dade County, Florida, Case No. 2017-CA-022854-CA-01, October 2021.
10. Intellectual Property Forensics Analysis, deposition, *Philips Medical Systems, et al. v TEC Holdings, Inc., et al.*, N.D. Ga., Case 1:17-cv-02864-LLM, September 2021.
11. Audio Records and Ordinary Course of Business, declaration, *Diamond Resorts U.S. Collection Development LLC v. Reed Hein & Associates, LLC d/b/a Timeshare Exit Team, et al.*, U.S. Dist. Court Dist. of Nevada, Case No. 2:17-cv-03007-APG, August 2021.
12. Intellectual Property Forensics Analysis, report, *Philips Medical Systems, et al. v Zimmerman*, W.D. NC, Charlotte Division, Civil No: 3:19-cv-444, August 2021.
13. Intellectual Property Forensics Analysis, report, *Philips Medical Systems, et al. v Dorow and Griswold*, N.D. Ga., Civil No: 19-cv-272, August 2021.
14. Data Matching, deposition, *MSPA Claims, Series, LLC, v. Atlantic Specialty Insurance Company*, M.D. Fla., Case no. 6:20-cv-00553-RBD-EJK, August 2021.

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15. Email Authenticity, Expert report, *Jawahar Jain v. Samsung Research America, Inc., et al.*, Superior Court of the State of California, County of Santa Clara, Case No. 17-CCV-318162, August 2021.
16. ESI Protocols, Reasonableness of Technology Assisted Review (TAR) and Search Terms, Unsworn Testimony, *In Re Diisocyanates Antitrust Litigation, MDL 2862*, (W.D.Pa.), Master Docket No. 18-1001, July 2021.
17. Data Matching, expert report, *MSPA Claims, Series, LLC et al., v. Plymouth Kingsway Amigo Insurance Co.*, S.D. Fla., Civil Action No. 2016-CV-20212-JLK, June 2021.
18. Data Matching, expert report, *MSPA Claims, Series, LLC et al., v. Plymouth Rock Assurance Corporation, Inc. et al.*, D. Mass., Case no. 1:18-cv-11702-ADB, July 2021.
19. Intellectual Property Forensics Analysis, report, *Philips Medical Systems, et al. v TEC Holdings, Inc., et al.*, N.D. Ga., Case 1:17-cv-02864-LLM, July 2021.
20. Data Matching, affidavit, *MSPA Claims, Series, LLC, v. Atlantic Specialty Insurance Company*, M.D. Fla., Case no. 6:20-cv-00553-RBD-EJK, July 2021.
21. Data Matching, affidavit, *MSPA Claims, Series, LLC, v. United Automobile Insurance Company*, S.D. Fla., Case no. 1:20-cv-20887, June 2021.
22. Data Availability, deposition, *MSP Recovery Claims, Series LLC, et al., v. Markel American Insurance Company, et al.*, S.D. Fla., Case no. 1:20-cv-24063, May 2021.
23. Data Availability, expert report, *MSP Recovery Claims, Series LLC, et al., v. Markel American Insurance Company, et al.*, S.D. Fla., Case no. 1:20-cv-24063, May 2021.
24. Data Availability, rebuttal report, *MSPA Claims, Series, LLC, v. United Automobile Insurance Company*, S.D. Fla., Case no. 1:20-cv-20887, May 2021.
25. Data Availability, expert report, *MSP Recovery Claims, Series LLC and MSPA Claims 1, LLC, v. American National General Insurance Co, and American National Property & Casualty Co*, S.D. Fla., Case no. 1:20-cv-24077, May 2021.
26. Analysis of iPhone, Text Messages, and Fonts, trial testimony, *Rosbach v. Montefiore Medical Center et al.*, (SDNY, 2021), case 1:19-cv-05758 , April 2021.
27. Reasonableness of Technology Assisted Review (TAR) and Search Terms, 2<sup>nd</sup> expert decalaration, *In Re Diisocyanates Antitrust Litigation, MDL 2862*, (W.D.Pa.), Master Docket No. 18-1001, April 2021.

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28. Analysis of iPhone, Text Messages, and Fonts, expert report, *Rosrbach v. Montefiore Medical Center et al.*, (SDNY, 2021), case 1:19-cv-05758 , April 2021.
29. Reasonableness of Technology Assisted Review (TAR) and Search Terms, 1<sup>st</sup> expert decalaration, *In Re Diisocyanates Antitrust Litigation, MDL 2862*, (W.D.Pa.), Master Docket No. 18-1001, April 2021.
30. Analys of Document Metadata, expert report, *Grace Instrument Industries v. Chandler Instruments Co.*, S.D. Texas, Houston Division, Civil Action No. 4:20-cv-1749, March 2021.
31. Trademark Specimen Forensic Review, Preliminary Report, *BNG MiraclePet*, March 2021.
32. Analysis of Computer Logs, expert report, *Center For Workplace Compliance (f/k/a/ Equal Employment Advisory Council) v. Littler Mendelson, P.C. et al.*, E.D.Va., Civil Action No. 1:20-cv-1387, March 2021.
33. Analysis of Google Gmail, report, *Mirata Pharmaceuticals, LLC v. The Administrators of the Tulane Education Fund*, JAMS Ref No. 1425031941, February 2021.
34. Application Data Analysis, trial testimony, *Sinclair v. Wireless Advocates, LLC*, S.D. Fla., Collective Action Complaint, Case no. 0:20-cv-60886, February 2021.
35. Application Data Analysis, deposition, *Sinclair v. Wireless Advocates, LLC*, S.D. Fla., Collective Action Complaint, Case no. 0:20-cv-60886, January 2021.
36. Application Data Analysis, declaration, *Sinclair v. Wireless Advocates, LLC*, S.D. Fla., Collective Action Complaint, Case no. 0:20-cv-60886, January 2021.
37. Data Availability, deposition, *MSPA Claims 1, LLC, v. Covington Specialty Insurance Company*, S.D. Fla., Case no. 1:19-cv-21583, January 2021.
38. Analysis of Metadata, expert declaration, *Purevbat et al. v. Axlehire, Inc.*, et al., Superior Court of the State of California County of Los Angeles, Case No. 19STCV42056, November 2020.
39. Data Availability, rebuttal report, *MSPA Claims 1, LLC, v. Covington Specialty Insurance Company*, S.D. Fla., Case no. 1:19-cv-21583, November 2020.
40. Data Availability, declaration, *MSPA Claims 1, LLC, v. Covington Specialty Insurance Company*, S.D. Fla., Case no. 1:19-cv-21583, October 2020.
41. Data Availability, deposition, *MSPA Claims 1, LLC, v. Tower Hill Prime Insurance Company and Tower Hill Claims Service, LLC*, N.D. Fla., Gainsville Division, Case no. 1:18-cv-00157, June 2020.
42. Data Availability, expert report, *MSPA Claims 1, LLC, v. Tower Hill Prime Insurance Company and Tower Hill Claims Service, LLC*, N.D. Fla., Gainsville Division, Case no. 1:18-cv-00157, May 2020.

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43. Technology Assisted Review (TAR), declaration, *William Morris Endeavor Entertainment LLC, et al., v. Writers Guild of America West, Inc., et al.*, C.D. Ca., Western District, Case no. 2:19-cv-05465-AB (FFMx), April 2020.
44. Data Analysis, declaration, *Fischer v Sentry Insurance*, United States District Court for the Western District of Wisconsin, Case no. 19-cv-156, March 2020.
45. E-Discovery and Document Review, deposition, *Brouwer et al. v. Wyndham Vacation Resorts, Inc., et al.*, Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2014-CA-008535, December 2019.
46. Data Availability, deposition, *MSP Recovery Claims, Series LLC v. AIX Specialty Insurance Company*, United States District Court for the Middle District of Florida, Case No. 1:18-cv-01456-PGB-DCI, November 2019.
47. Data Availability, declaration, *MSP Recovery Claims, Series LLC v. AIX Specialty Insurance Company*, United States District Court for the Middle District of Florida, Case No. 1:18-cv-01456-PGB-DCI, September 2019.
48. Non-Public Availability of Data, declaration, *LabMD v Tiversa*, United States District Court for the Western District of Pennsylvania, No. 2:15-cv-00092-MPK, September 2019.
49. PeopleSoft Analysis, deposition, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, October 2019.
50. Compensation Analysis, deposition, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, September 2019.
51. Compensation Analysis, declaration, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, August 2019.
52. Data Availability, rebuttal declaration, *MAO-MSO Recovery II, LLC v. Mercury General*, United States District Court Central District of California, Case No. 2:17-cv-02525, 2:17-cv-02557, June 2019.
53. Compensation Analysis, declaration, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, August 2019.
54. Data Availability, deposition, *MAO-MSO Recovery II, LLC v. Mercury General*, United States District Court Central District of California, Case No. 2:17-cv-02525, 2:17-cv-02557, June 2019.

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55. Data Availability, deposition, *MAO-MSO Recovery II, LLC v. State Farm*, United States District Court for the Central District of Illinois Peoria Division, Case No. 1:17-cv-01537-JBM-JEH, April 2019.
56. Data Availability, declaration, *MAO-MSO Recovery II, LLC v. State Farm*, United States District Court for the Central District of Illinois Peoria Division, Case No. 1:17-cv-01537-JBM-JEH, April 2019.
57. Data Availability, deposition, *MAO-MSO Recovery II, LLC v. Mercury General*, United States District Court Central District of California, Case No. 2:17-cv-02525, 2:17-cv-02557, April 2019.
58. Computer Forensics, court testimony, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, March 2019.
59. Computer Software Analysis, mediation testimony, *Select Transportation Resources LLC v NSEIT (US), Inc.*, District Court of Harris County, Texas, November 2018.
60. Computer Forensics, court testimony, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, November 2018.
61. Computer Forensics, deposition, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, July 2018.
62. Computer Forensics, expert report, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, May 2018.
63. E-Discovery Expert, unsworn testimony, *Wolford and Taylor v Bayer Essure Inc., et al.*, Commonwealth of Kentucky, Pike Circuit Court, Division 1, Civil Action No. 16-CI-00907, May 2018.
64. E-Discovery Expert, unsworn testimony, *McLaughlin v. Bayer Essure Inc., et al.*, US District Court for the District of Eastern Pennsylvania, Case No. 2:14-cv-07315, May 2018.
65. Computer Forensics, deposition, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, May 2018.
66. Computer, MS Outlook and MS Word Forensics, deposition, *Squire Patton Boggs (US) LLP v. Republic Services, Inc., et al.*, Court of Common Pleas, Cuyahoga County, Ohio, Case No: CV-16-870257, May 2018.
67. Document Search and Retrieval, testimony, *Klebba et al. v. Wyndham Vacation Resorts, Inc., et al.*, Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2014-CA-008535, March 2018.

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68. Enterprise Architecture and Information Retrieval, testimony, *Klebba et al. v. Wyndham Vacation Resorts, Inc., et al.*, Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2014-CA-008535, December 2017.
69. Computer Forensics, ESI Cost and Burden, testimony, *United States v. David Shulick*, U.S. District Court for the Eastern District of Pennsylvania, Criminal No. 16-428, October 2017.
70. Enterprise Architecture and Information Retrieval, testimony, *Klebba et al. v. Wyndham Vacation Resorts, Inc., et al.*, Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2014-CA-008535, September 2017.
71. Computer Forensics, affidavit, *PNC Bank, National Association v. Vander Molen*, US District Court for the Western District of Pennsylvania, Civil Action No. 2:17-CV-00867-CRE, July 2017.
72. Computer Forensics, expert report (supplemental), *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, July 2017.
73. Compensation Analysis, accounting report, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, June 2017.
74. Compensation System Applications, deposition, *Eldard, Wall, et al. v. Hewlett-Packard Co.*, et al, Case No. 30-2012-00537897-CU-BT-CXC, Superior Court of the State of California for the County of Orange, May-June 2017.
75. Compensation System Applications, declaration, *Eldard, Wall, et al. v. Hewlett-Packard Co.*, et al, Case No. 30-2012-00537897-CU-BT-CXC, Superior Court of the State of California for the County of Orange, May 2017.
76. Cellphone Forensics, declaration, *Urias et al. v. Lopez et al.*, Cause No. B-140516, District Court of Ector County, Texas, 161st Judicial District, May 2017.
77. Email Forensics, declaration, *Garrubbo v Plainfield Country Club et al*, Docket No. Mid-L-7273-13, Superior Court of New Jersey, Law Division: Middlesex County, March 2017.
78. Email Forensics, declaration, *Kraja v Bellagio, LLC et al*, Case No. 2:15-cv-01983-APG-NJK, US District Court, District of Nevada, February 2017.
79. Electronic Discovery, adequacy of search, declaration, *Immigrant Defense Project v. United States Immigration and Customs Enforcement Agency (ICE) et al*, Case No. 16 Civ. 387 (KBF), US District Court, Southern District of New York, November 2016.

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80. Electronic Discovery, inspection of enterprise systems, *Arine vs. Aaroma Holdings, LLC*, Docket No. MID-L-7291-11, Superior Court of New Jersey, Law Division, Middlesex County, October 2016.
81. Electronic Discovery, adequacy of search, declaration, *National Day Laborer Organizing Network (NDLON) et al v. United States Immigration and Customs Enforcement Agency (ICE) et al*, Case No. 16 Civ. 387 (KBF), US District Court, Southern District of New York, October 2016.
82. Software Code Analysis, trial testimony, *HESC v. Valtech Technologies, Inc. et al.*, 68<sup>th</sup> District Court, Dallas County, Docket # DC-13-065947-C, October 2016.
83. Software Code Analysis, deposition, *HESC v. Valtech Technologies, Inc. et al.*, 68<sup>th</sup> District Court, Dallas County, Docket # DC-13-065947-C, August 2016.
84. Compensation Analysis, accounting report, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, August 2016.
85. Forensic Data Recovery, affidavit, *Arine v. AAroma Holdings, LLC et al.*, Superior Court of New Jersey Law Division: Middlesex County, Docket No. MID-L-7291-11, June 2016.
86. Software Code Analysis, expert report, *HESC v. Valtech Technologies, Inc. et al.*, 68<sup>th</sup> District Court, Dallas County, Docket # DC-13-065947-C, June 2016.
87. Application Forensics, deposition, *ARKO Plumbing Corp. v. Rudd et al.*, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, FL, Case No.: 13-019894-CA-06, May 2016.
88. Computer, MS Outlook and MS Word Forensics, report, *Luri v Republic Services, Inc. et al.*, Court of Common Pleas, Cuyahoga County, Ohio, Case No: CV 07-633043, April 2016.
89. Application Forensics, declaration, *ARKO Plumbing Corp. v. Rudd et al.*, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, FL, Case No.: 13-019894-CA-06, April 2016.
90. Email and Internet Forensics, affidavit, *Bowman v. Infrahealth Enterprises, LLC, et al.*, District Court of Travis County, Texas, 261<sup>st</sup> Judicial District, Cause No. D-1-GN-14-001548, February 2016.
91. Structured Data Acquisition and Production, unsworn testimony, *In Re Blue Cross Blue Shield Antitrust Litigation*, U.S. District Court, Northern District of Alabama, No. 13-20000, January 2016.
92. Database Forensics, Computer Forensics, declaration in support of fee application, *Klipsch Group, Inc. v. Big Box Limited et al.*, US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), January 2016.

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93. Computer Forensics, deposition, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, December 2015.
94. Compensation Analysis, accounting report, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, December 2015.
95. Compensation Analysis, accounting report, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, October 2015.
96. ESI Best Practices, deposition, *LaBarre et al. v. Occidental Chemical Company, et al.*, Twenty-Third Judicial Dist. Court, Parish of Assumption, State of Louisiana, Docket no. 33796, October 2015.
97. Compensation Analysis, interim report, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, October 2015.
98. Computer Forensics, expert report (supplemental), *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, October 2015.
99. Relative Accessibility of ESI, affidavit, *Wal-Mart Stores, Inc., v. Cuker Interactive, LLC*, Western District of Arkansas, C.A. No. 5:14-cv-5262, September 2015.
100. Computer Forensics, Time Stamps, expert affidavit, *Pursuit Partners, LLC v. UBS et al.*, Superior Court at Waterbury, Docket No. UWY-X10-CV-08-403318-S, August 2015.
101. PeopleSoft and Kronos, evidentiary hearing testimony, *Lopes v. Kohl's Department Stores, Inc.*, Superior Court for the State of California for the County of Alameda, Lead Case No.: RG08380189, August 2015.
102. Application Forensics, declaration, *ARKO Plumbing Corp. v. Rudd et al.*, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, FL, Case No.: 13-019894-CA-06, June 2015.
103. Structured Data, expert report, *Myers v. Wal-Mart Stores, Inc., et al.*, Southern District of Mississippi, Civil Action No.: 1:14CV264-HSO-RHW, June 2015.
104. Software Code Analysis, expert disclosure, *HESC v. Valtech Technologies, Inc. et al.*, 68<sup>th</sup> District Court, Dallas County, Docket # DC-13-065947-C, June 2015.
105. Computer Forensics, expert report, *Indiana Electrical Workers Pension Trust Fund IBEW v. Wal-Mart Stores, Inc.*, Court of Chancery, State of Delaware, Case No. 7779-CB, February 2015.
106. Database Forensics, Computer Forensics, declaration, *Klipsch Group, Inc., v. Big Box Limited et al.*, US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), February 2015.

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107. Format of Production, affidavit, *Zaremba v. Biomet et al.*, Circuit Court of the Twelfth Judicial Circuit, Sarasota County, Florida, Case No. 2014-CA-01932-NC, January 2015.
108. Database Forensics, Computer Forensics, trial testimony, *Klipsch Group, Inc., v. Big Box Limited et al.*, US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), January 2015.
109. Computer Forensics, declaration, *L-3 Communications Corp., et al., v. Jaxon Engineering & Maintenance, Inc., et al.*, US District Court, District of Colorado, November 2014.
110. Database Forensics, Computer Forensics, deposition testimony, *Klipsch Group, Inc., v. Big Box Limited et al.*, US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), November 2014.
111. Computer Forensics, expert report, *Securities Exchange Commission v. McGinnis et al.*, US District Court for the District of Vermont, Civil Action No. 5:14-CV-6, November 2014.
112. E-mail, supplemental declaration, *Martin, Covarrubias and Greenwold v. Ernst & Young, LLP*, American Arbitration Association, No. 74 20 1200 0645 12, November 2014.
113. Computer Forensics, deposition, *Debs v. Prepared Insurance Company*, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida, Case No. 12-02393 CA 08, October 2014.
114. E-mail, declaration, *Martin, Covarrubias and Greenwold v. Ernst & Young, LLP*, American Arbitration Association, No. 74 20 1200 0645 12, October 2014.
115. Computer Forensics, declaration, *Debs v. Prepared Insurance Company*, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida, Case No. 12-02393 CA 08, October 2014.
116. Electronic Discovery, Email, Databases, Records Retention, Preservation, Spoliation, declaration, *Van Treck v. Klinck, Takeda Pharmaceuticals America, Inc., et al.*, State of Wisconsin, Milwaukee County, Circuit Court, Case No. 12CV007359, September 2014.
117. Records Retention, Data Restoration, Corporate Systems, NMRA 1-30(b)(6) deposition, *Bishop-Dudasik v. Takeda Pharmaceuticals America, Inc., et al.*, State of New Mexico, County of Santa Fe, First Judicial District Circuit, Case no. D-101-CV-2012-00285, August 2014.
118. Database Forensics, Computer Forensics, expert report, *Klipsch Group, Inc., v. Big Box Limited et al.*, US District Court, Southern District of New York, Case No. 12-CIV-6283 (VSB) (MHD), August 2014.

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119. Electronic Discovery, Legal Holds, Reasonable Anticipation, expert testimony, *Wisniewski v. Takeda Pharmaceuticals America, Inc., et al.*, Court of Common Pleas, Philadelphia County, Case No. 120702272, July 2014.
120. E-Discovery Protocol Compliance, declaration, *LendingTree, LLC v. Zillow, Inc. et al.*, US District Court, Western District of North Carolina, Case No. 3:10-cv-00439-FDW-DCK, June 2014.
121. Data Deletion, declaration, *Arthrex, Inc. and Arthrex Manufacturing, Inc. v. Parcus Medical, LLC*, US District Court, Middle District of Florida, April 2014.
122. Electronic Discovery, deposition, *IDT Corp. v. Morgan Stanley Dean Witter & Co., et al.*, Sup. Ct. N.Y. County, April 2014.
123. Document Retention and Storage, 206(a)(1) deposition, *In Re: Actos Litigation*, Circuit Court, Cook County, Illinois, Case No. 2011-L-010011, March 2014.
124. Digital Forensics, declaration, *Baggerwerken Decloedt En Zoon N.V. v. Republic of the Philippines* (ICSID Case No. ARB/11/27), March 2014.
125. Adequacy of Search, declaration, *Bigwood v. U.S. Dept. of Defense and CIA*, US District Court, District of Columbia, March 2014.
126. Electronic Discovery, rebuttal report, *IDT Corp. v. Morgan Stanley Dean Witter & Co., et al.*, Sup. Ct. N.Y. County, February 2014.
127. Computer Forensics, declaration, *Arthrex, Inc. and Arthrex Manufacturing, Inc. v. Parcus Medical, LLC*, US District Court, Middle District of Florida, February 2014.
128. Public Hearing on Proposed Amendments to the Federal Rules of Civil Procedure, testimony, Dallas, Texas, February 7, 2014.
129. Electronic Discovery, expert report, *IDT Corp. v. Morgan Stanley Dean Witter & Co., et al.*, Sup. Ct. N.Y. County, January 2014.
130. Computer Forensics, declaration, *L-3 Communications Corp., et al., v. Jaxon Engineering & Maintenance, Inc., et al.*, US District Court, District of Colorado, January 2014.
131. Electronic Discovery, declaration, *In Re Actos (pioglitazone)*, MDL 2299, US District Court, Western District of Louisiana, October 2013.
132. Computer Forensics, declaration, *Teledyne Instruments, Inc. v. Cairns and Abyssal Systems, Inc.*, US District Court, Middle District of Florida, September 2013.

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133. Legal Holds, 30(b)(6) deposition, *In Re Actos (pioglitazone)*, MDL 2299, US District Court, Western District of Louisiana, September 2013.
134. Computer Forensics, Electronic Discovery, deposition, *Eaton Corporation et al v. Jeffery D. Frisby, et al*, The Circuit Court of the First Judicial District of Hinds County, Mississippi, September 2013.
135. Computer Forensics, rebuttal report, *In the Matter of Certain Paper Shredders, Certain Processes for Manufacturing or Relating to Same, and Certain Products Containing Same and Certain Parts Thereof*, Investigation No. 337-TA-863, Washington, DC, September 2013.
136. Electronic Discovery, declaration, *Nath et al v. Kapalua Bay LLC et al*, Civil Court in the Second Circuit, State of Hawaii, August 2013.
137. Records Management, 30(b)(6) deposition, *In Re Actos (pioglitazone)*, MDL 2299, US District Court, Western District of Louisiana, August 2013.
138. Computer Forensics, report, *In the Matter of Certain Paper Shredders, Certain Processes for Manufacturing or Relating to Same, and Certain Products Containing Same and Certain Parts Thereof*, Investigation No. 337-TA-863, Washington, DC, August 2013.
139. Electronic Discovery, report, *Teledyne Instruments, Inc. v. Cairns and Abyssal Systems, Inc.*, US District Court, Middle District of Florida, July 2013.
140. Electronic Discovery, declaration, FINRA Examination, April 2013.
141. Electronic Discovery, discovery hearing, *Fosamax / Alendronate Sodium Drug Cases*, JCCP No. 4644, Superior Court of the State of California, Orange County, April 2013.
142. Electronic Discovery, declaration, *State of Louisiana v. GlaxoSmithKline, LLC et al.*, Nineteenth Judicial District Court, Eastern District of Louisiana, April 2013.
143. Electronic Discovery, declaration, *Oral Cancer Prevention International, Inc. v. OraPharma, Inc. et al.*, American Arbitration Association, Case No. 13 122 Y 01477 12, March 2013.
144. Electronic Discovery, declaration, *Fosamax / Alendronate Sodium Drug Cases*, JCCP No. 4644, Superior Court of the State of California, Orange County, March 2013.
145. Electronic Discovery, declaration, *Oral Cancer Prevention International, Inc. v. OraPharma, Inc. et al.*, American Arbitration Association, Case No. 13 122 Y 01477 12, February 2013.
146. Expert in the Discovery of Databases, declaration, *In Re Text Messaging Antitrust Litigation*, US District Court, Northern District of Illinois, MDL No. 1997, February 2013.

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147. Electronic Discovery, Email and Mobile Devices, declaration, Commonwealth of Pennsylvania v. Joan Orie Melvin, In the Court of Common Pleas, Allegheny County, January 2013.
148. Electronic Discovery, declaration, Teledyne Instruments, Inc. v. Cairns and Abyssal Systems, Inc., US District Court, Middle District of Florida, December 2012.
149. Electronic Discovery, declaration, In Re: Potash Antitrust Litigation (II), MDL Docket No. 1996, US District Court, Northern District of Illinois, December 2012.
150. Electronic Discovery, affidavit, ADT Security Services, Inc. v. Pinnacle Security, LLC et al., Civil Action no. 1:10-cv-07467, US District Court, Northern District of Illinois, November 2012.
151. Computer Forensics, affidavit, Commonwealth of Pennsylvania v. Joan Orie Melvin, In the Court of Common Pleas, Allegheny County, No. 201209885, November 2012.
152. Electronic Discovery, declaration Teledyne RD Instruments, Inc. et al v. Rowe Technologies, Inc. et al., Superior Court of State of California, San Diego County, November 2012.
153. Electronic Discovery, declaration Teledyne RD Instruments, Inc. et al v. Rowe Technologies, Inc. et al., Superior Court of State of California, San Diego County, October 2012.
154. Computer Forensics and Computer Science, deposition, In the Matter of Certain Electronic Devices with Graphics Data Processing Systems, Components Thereof and Associated Software, Investigation No. 337-TA-813, U.S. International Trade Commission, August 2012.
155. Computer Forensics, declaration, In the Matter of Certain Electronic Devices with Graphics Data Processing Systems, Components Thereof and Associated Software, Investigation No. 337-TA-813, U.S. International Trade Commission, August 2012.
156. Electronic Discovery, Format of Production, testimony, NJDEP, et al. v. Occidental Chemical Corporation, et al. (Superior Court of New Jersey, Essex County Docket ESX-L-9868-05), July 2012.
157. Electronic Discovery, Format of Production, declaration, NJDEP, et al. v. Occidental Chemical Corporation, et al. (Superior Court of New Jersey, Essex County Docket ESX-L-9868-05), June 2012.
158. Computer Forensics, affidavit, Edgenet v. Home Depot U.S.A. Inc., Circuit Court for State of Wisconsin, Waukesha County, July 2012.
159. Computer Forensics, declaration In the Matter of Certain Electronic Devices with Graphics Data Processing Systems, Components Thereof and Associated Software, Investigation No. 337-TA-813, U.S. International Trade Commission, June 2012.

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160. Computer Forensics, affidavit and deposition, *Edgenet v. Home Depot U.S.A. Inc.*, Circuit Court for State of Wisconsin, Waukesha County, June 2012.
161. Computer Forensics and Computer Science, declaration, *In the Matter of Certain Computing Devices with Associated Instructions Sets and Software*, Investigation No. 337-TA-812, U.S. International Trade Commission, June 2012.
162. Electronic Discovery and Computer Science, declaration, *Laura Kenyon v. Deere & Company*, District Court for State of Colorado, El Paso County, April 2012.
163. Electronic Discovery, Adequacy of Search, declaration, *National Day Laborer Organizing Network (NDLON) et al v. United States Immigration and Customs Enforcement Agency (ICE) et al*, 10 CV 3488 (SAS) (KNF), US District Court, Southern District of New York, March 2012.
164. Electronic Discovery and Computer Science, testimony, *Kleen Products LLC v. Packaging Corporation of America et al.*, US District Court, Northern District of Chicago, Chicago, IL, March 2012.
165. Electronic Discovery and Computer Science, testimony, *Kleen Products LLC v. Packaging Corporation of America et al.*, US District Court, Northern District of Chicago, Chicago, IL, February 2012.

### **SELECT SPEAKING ENGAGEMENTS AND CONFERENCES (Past 5 Years)**

1. University of Florida Levin School of Law, 9<sup>th</sup> Annual E-Discovery Conference, *Structured Data and the Internet of Things*, Tampa Bay, FL, March 2022.
2. University Club of Orlando, CLE Presentation, *Structured Data*, Orlando, FL, March 2022.
3. University of Florida Levin College of Law 9<sup>th</sup> Annual Conference Board, remote speaker, *How to be an Effective On-Line Speaker: PowerPoint and Zoom tips*, Tampa Bay, Florida, January 2022.
4. Georgetown Global Advanced E-Discovery Institute, *Annual Conference*, advisory board, speaker: *Social Justice and E-Discovery*, Washington, D.C., November 2021.
5. eDiscovery Leaders Live, *George Socha and Dan Regard*, podcast, November 2021.
6. Sedona Conference, Annual Meeting, WG1, *Database Discovery*, panelist, Cleveland, OH, October 2021.
7. Electronic Discovery Institute, attendee, *Leadership Conference*, Santa Barbara, California, October 2021.
8. University of Florida Levin College of Law, guest lecturer, *Search Terms and Technology Assisted Review*, Tampa Bay, Florida, October 2021.

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9. William & Mary Law School, guest lecturer, Introduction of Computers and Big Data for Lawyers, Williamsburg, VA, September 2021.
10. Chats with Tom and Rachi, CEO Dan Regard, podcast, May 2021.
11. University of Florida Levin School of Law, Media, Technology, and Law, Surveillance Capitalism, Tampa Bay, FL, March 2021.
12. University of Florida Levin School of Law, E-Discovery Conference, Short Messages, Tampa Bay, FL, March 2021.
13. University of Florida Levin School of Law, guest lecturer, The Future of Litigation, Tampa Bay, FL, March 2021.
14. Motivational speaker, How to Moderate a Remote Panel, University of Florida, Pottstown, PA, February 2021.
15. Clear Law Institute, webinar, Ready to Remain Remote? Legal, Technical and Cyber Concerns for a Remote Workforce, speaker, Pottstown, PA, February 2021.
16. Georgetown Global Advanced E-Discovery Institute, Annual Conference, advisory board, speaker, Washington, D.C., November 2020.
17. Lean Discovery, Data as a Digital Witness, podcast, September, 2020.
18. iDiscovery Solutions, webinar, Fact Crashing Roadshow, speaker, Pottstown, PA, August 2020.
19. Clear Law Institute, webinar, Best Practices for Conducting Remote Depositions, speaker, Pottstown, PA, August 2020.
20. CCBJ Perspectives Podcast, webinar, Fact Crashing, Pottstown, PA, September 2020.
21. The Sedona Conference, webinar, Virtual Town Hall: Conducting eDiscovery in Disputes involving Artificial Intelligence, speaker, Pottstown, PA, July 2020.
22. Baker Donelson CEO Podcast, Sitting with the C-Suite, interviewee, Pottstown, PA, June 2020.
23. Nextpoint, webinar, Best Practices for Remote Depositions, speaker, Pottstown, PA, June 2020.
24. CCBJ Perspectives Podcast, interview, The Impact of Big Data in Litigation, Pottstown, PA, June 2020.
25. The Masters Conference, webinar, Best Practices for Remote Depositions, speaker, Pottstown, PA, April 2020.
26. Georgetown Advanced E-Discovery Institute, Annual Conference, director, speaker, Washington, D.C., November 2019.

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27. Motivational speaker, How to Moderate a Remote Panel, Georgetown AEDI, Pottstown, PA, September 2020.
28. Clear Law Institute, webinar, The Impact of Big Data in Litigation, speaker, Washington, D.C., September 2019.
29. The Sedona Conference, Working Group 6, Mid-year Meeting, St. Pete, Florida, January 2019.
30. Clear Law Institute, webinar, E-Discovery Under the GDPR: Tension with U.S. Rules and Avoiding Penalties for Noncompliance, Washington, D.C., March 2019
31. Eighth Annual ASU-Arkfeld eDiscovery and Digital Evidence Conference, Detecting Fabricated Evidence - Panel, Phoenix, AZ, March 2019.
32. Georgetown Advanced E-Discovery Institute, Annual Conference, director, speaker, Washington, D.C., November 2018.
33. The Master's Conference, Big Data in Litigation, speaker, Washington, D.C., October 2019.
34. University of Pennsylvania Law School, guest lecturer, Computer Networks and E-Discovery, Philadelphia, PA, October 2018.
35. Baker Donelson Innovation Webinar: Analyzing the Impact of Artificial Intelligence in Legal, presenter, The Myth of Artificial Intelligence, September 2018.
36. ABA Cross-Border Discovery Institute, Minimizing Risks: Preservation and Collection, panelist, Brussels, Belgium, July 2018.
37. The Master's Conference, Big Data in Litigation, speaker, Denver, CO, June 2018.
38. ABA National Institute on E-Discovery, panelist, Protecting Data Security in Discovery, Chicago, IL, May 2018.
39. Spring May-rathon, panelist, Dominating Litigation in a Digital Society, national webinar, May 2018.
40. Sixth Circuit Judicial Conference, speaker, Big Data in Litigation: The Big Picture, Nashville, TN, May 2018.
41. American University Law School, guest lecturer, Introduction of Computers and Big Data for Lawyers, Washington, DC, February 2018.
42. Temple Law School, guest lecturer, Introduction of Computers and Big Data for Lawyers, Philadelphia, PA., January 2018.
43. DC Bar Association, e-Discovery Subcommittee, Big Data in Litigation, speaker, January 2018.

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44. Florida Institute of CPA's, Valuation, Forensic Accounting & Litigation Services Conference, *Accounting in a Digital Universe*, speaker, Ft. Lauderdale, FL, January 2018
45. Today's General Counsel Institute (TCGI), "The Exchange" Data Privacy and Cybersecurity Forum, attendee, Los Angeles, December 2017
46. American Bar Association, *11th Annual Labor and Employment Law Conference*, attendee, Washington, D.C., November 2017.
47. Georgetown Advanced E-Discovery Institute, *Annual Conference*, director, attendee, Washington, D.C., November 2017.
48. The Master's Conference, e-Discovery Roundtable, attendee, Orlando, FL, November 2017.
49. Today's General Counsel Institute (TCGI), "The Exchange" Data Privacy and Cybersecurity Forum, attendee, Washington, D.C., November 2017.
50. 3<sup>rd</sup> Annual Judicial Training Symposium, speaker, *TED-style talk: Big Data*, Tucson, AZ, October 2017.
51. University of Pennsylvania Law School, guest lecturer, *Computer Networks and E-Discovery*, Philadelphia, PA, October 2017.
52. The ABA Cross-Border Discovery Institute: The Interplay between E.U. Data Protection and U.S. Discovery, *The Impact of the Cloud on Cross-Border Discovery*, moderator, Munich, Germany, July 2017.
53. The ABA Cross-Border Discovery Institute: The Interplay between E.U. Data Protection and U.S. Discovery, *How Do You Manage Cross Border Discovery with Your Opponent and the Court? Rule 26(f), Rule 16, and Protective Orders*, panelist, Munich, Germany, July 2017.
54. Today's General Counsel Institute, "The Exchange" eDiscovery, *Managing Creation and Defensible Disposition of Company Data*, panelist, and speaker, New York, NY, July 2017.
55. The Sedona Conference, Working Group 6, *Annual Meeting*, Maynooth, Ireland, June 2017.
56. Metropolitan Corporate Counsel, *IoT & Disparate Data for Labor & Employment Cases*, webinar speaker, Washington DC, May 2017.
57. The Executive Employer, *The Power of Your Electronic Data*, panelist, Phoenix, AZ, May 2017.
58. ACI, conference, *29th National Forum on Wage & Hour Claims & Class Actions*, attendee, Miami, FL, January 2017.

### **PROFESSIONAL AFFILIATIONS**

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- Louisiana Bar Association
- American Bar Association
- International Bar Association
- Sedona Conference Working Group 1 on Electronic Document Retention and Production
- Sedona Conference Working Group 6 on International Electronic Information Management, Discovery and Disclosure
- Georgetown Advanced Institute for e-Discovery, Director
- George Washington Law School, Discovery Proportionality Steering Committee
- Electronic Discovery Institute (EDI)
- University of Florida, e-Discovery Conference, Steering Committee
- ABA Cross-Border Institute, Steering Committee